

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

FOLEY & LARDNER LLP 777 EAST WISCONSIN AVENUE SUITE 3800 MILWAUKEE, WI 53202-5308

COPY MAILED

MAY 1 6 2006

OFFICE OF PETITIONS

In re Patent No. 6,929,723
Issued: August 16, 2005
Application No. 09/992,205
Filed: November 6, 2001
Atty. Dkt. No.: 054726-0115

: LETTER REGARDING PTA AND : NOTIFICATION OF INTENT TO ISSUE : CERTIFICATE OF CORRECTION

This letter is in response to the "COMMUNICATION REGARDING PATENT TERM ADJUSTMENT," filed December 12, 2005. The Office thanks patenties for their good faith and candor in bringing this to our attention.

The above-identified application issued as U.S. Pat. No. 6,929,723 on August 16, 2005. The patent issued with a patent term adjustment (PTA) of 101 days. Patentee, however, indicates that there may be an error in the adjustment.

A review of the application history reveals that at the time of issuance, the patent was entitled to an overall adjustment of 88 days.

An adjustment of 162 days can be attributed to the Office. See 37 CFR 1.702(a)(1) and 1.703(a)(1).

The adjustment of 162 is reduced 61 days in accordance with 37 CFR 1.704(b) in connection with the amendment submitted November 17, 2003.

The adjustment of 101 days is further reduced 13 days in accordance with 37 CFR 1.704(c)(10) in connection with the petition and request for continued examination filed November 17, 2004.

In view thereof, the patent is entitled to an adjustment of 88 days.

As this letter was submitted as an advisement to the Office of an error in patentee's favor, no fee is due in connection with this matter. The Office thanks patentee for his good faith and candor in bringing this to the attention of the Office. This application will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 88 days.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Nancy Johnson

Senior Petitions Attorney

Office of Petitions

Enclosure: Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT

6,929,723 B2

DATED

August 16, 2005

INVENTOR(S):

Metzger

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 101 days

Delete the phrase "by 101 days" and insert - by 88 days--